



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

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### DIRECTOR'S POLICY

#100-09

### GIFTS AND HONORARIA

EFFECTIVE DATE: May 17, 2005

APPROVED BY:

#### I. HISTORY

This policy replaces Director's Policy #100-09, Gifts and Honoraria effective July 23, 2002.

#### II. PURPOSE

The purpose of this policy is to provide guidelines for Department employees to follow when offered a gift, gratuity, favor, reward, or honorarium for any service performed in connection with, or related to, their employment.

#### III. POLICY

In order to avoid any appearance of impropriety or inappropriate influence of a government employee, and in accordance with the *Commonwealth of Virginia Employee Handbook* (January 1999) and § 2.2-3103 of the *Code of Virginia*, DPOR employees shall not solicit or accept money or other things of value for any service performed within the scope of their official duties, except the compensation, expenses or other remuneration paid by the agency in which they are employed or by an authorized outside employer (see Human Resources Policy #200-08, Outside Employment). Employees shall notify their supervisor immediately upon receipt of any gift, gratuity, favor, reward, honorarium, or other object of value. Gifts and contributions between employees shall be strictly voluntary and of a nominal value (\$10 or less).

#### IV. DEFINITIONS

Gifts	Any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value
Honorarium	A payment given to a professional person for services for which fees are not legally or traditionally required.

## **V. PROCEDURES**

### **A. GIFTS AND HONORARIA FROM OUTSIDE SOURCES**

1. Gifts, rewards, and honoraria should be considerably returned. In situations where the supervisor deems that it would be impractical or impolite to return the gift, reward or honoraria, the following alternatives shall be available to the employee:
  - a) Items may be donated to a recognized charitable organization.
  - b) Perishable items (food, flowers, etc.) may be placed in a central area to be shared with all Department employees.
  - c) Items may be donated to the Department for raffle/auction during Department fund-raising activities.
2. Offers to send gifts, rewards, or honoraria shall be politely declined with an explanation that as a state employee you are not permitted to accept the offer.
3. Promotional items, given free of charge and of a nominal value (approximately \$10 or less) may be accepted by an employee.
4. Items of a nominal value distributed at conferences or training sessions to participants (speakers, attendees, etc.) may be accepted by an employee. Raffle items won in a random drawing may also be accepted by an employee.

### **B. TRAVEL, LODGING, MEALS, AND FEES**

Gifts of transportation, travel, lodgings and meals shall be accepted only with the approval of the Director in the following circumstances:

1. Payment or reimbursement for travel, lodging, meals, registration fees, and other actual expenses incurred in conjunction with an appearance, speech or written document in which the employee provides expertise/opinions or to receive an award related to the performance of their official duties may be accepted.
2. It shall be acceptable for an employee to consume food and non-alcoholic beverages when attending a business gathering in which the employee represents the Department.

### **C. GIFTS BETWEEN EMPLOYEES**

1. All gifts and contributions to gifts and Department social funds shall be given on a voluntary basis.

2. Gifts with a market value of \$10 or less are permitted on an occasional basis including days when gifts are traditionally given (e.g., birthdays, Bosses' Day or other annually occurring holidays). Gifts and contributions given in recognition of infrequent occasions of personal significance (e.g., illness, marriage, birth/adoption of a child and on occasions that terminate the superior-subordinate relationship between employees) may exceed the \$10 limit as long as the gift is of a type and value appropriate to the occasion.

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